FILED
SEPTEMBER 12, 2007
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

FEE NOTICE and ORDER

Date: September 11, 2007
Re: Riches, Jonathan v. Bush, George W.
Appeal No.: 07-3163

Appeal from the United States District Court for the Northern District of Illinois, Eastern Division
No. 07 C 4192, Harry D. Leinenweber, Judge

NF

To: Jonathan Lee Riches
FEDERAL CORRECTIONAL INSTITUTION - WILLIAMSBURG
#40948-018
P.O. Box 340
Salters, SC 29590

Circuit Rule 3(b) empowers the clerk to dismiss an appeal if the docket fee is not paid within fourteen (14) days of the docketing of the appeal. This appeal was docketed on 9/11/07. The District Court has indicated that as of 9/5/07 the docket fee has not been paid. Depending on your situation, you should:

1. Pay the required $450.00 docketing fee PLUS the $5.00 notice of appeal filing fee to the District Court Clerk, **if you have not already done so.** The Court of Appeals cannot accept this fee. You should keep a copy of the receipt for your records.

2. File a motion to proceed on appeal in forma pauperis with the District Court, along with a certified copy of your prison trust account statement for the 6 month period preceding the filing of the notice of appeal, **if you have not already done so.** An original and three copies of that motion, with proof of service on your opponent, is required. This motion must be supported by a sworn affidavit in the form prescribed by Form 4 of the Appendix of Forms to the Federal Rules of Appellate Procedure (as amended 12/1/98), listing the assets and income of the appellant(s).

3. If the motion to proceed on appeal in forma pauperis is denied by the district court, you must either pay the required $450.00 docketing fee PLUS the $5.00 notice of appeal filing fee to the District Court Clerk, within 14 days after service of notice of the action of the district court, or within 30 days of that date, renew your motion to proceed on appeal in forma pauperis with this court. If the motion is renewed in this court, it must comply with the terms of Fed. R. App. P. 24(a). In addition, you must provide this court with a brief memorandum explaining why you contend the district court's denial of leave to proceed

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on appeal in forma pauperis is erroneous. **NOTE:** The document should be titled "MEMORANDUM IN SUPPORT OF PLRA MOTION FOR LEAVE TO PROCEED ON APPEAL IN FORMA PAUPERIS" and must be filed within 30 days of service of the order of the district court.

Further, this appeal is subject to the Prison Litigation Reform Act. Accordingly,

IT IS ORDERED that all other proceedings in this appeal are **SUSPENDED** pending the assessment and payment of any necessary fees. See Newlin v. Helman, 123 F.3d 429, 434 (7th Cir. 1997). The court will take no further action in this appeal until the fee status is resolved.

Neither party should tender any brief or motion that is not related to appellant's fee status on appeal. Appellee is under no obligation either to file a brief or to respond to any such motion filed by appellant. Any motion not related to appellant's fee status will be deemed denied without further court action.

(1261-040500)
bcc: Michael W. Dobbins